



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

February 18, 2002

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Daniel J. Bryant *DJB*  
Assistant Attorney General

SUBJECT: Weekly Report for February 18 - March 1, 2002

**THE WEEK AHEAD**

- **Nominations:** We anticipate a hearing on judicial nominations on February 26 and a hearing on the nomination of Robert Flores to be Administrator of the Office of Juvenile Justice and Delinquency Prevention on March 5. (Scott-Finan)

**THIS WEEK**

- The Senate and House are in recess until next week.

**LAST WEEK**

- **Nominations:** On February 11, the Senate confirmed the judicial nominations of Michael Melloy, U.S. Court of Appeals for the 8<sup>th</sup> Circuit, and Jay Zainey, E.D. Louisiana. (Scott-Finan)
- **Prosecutorial Deliberations Relating to the Boston FBI's Handling of Informants:** On February 14, Assistant Attorney General Jay Bybee of the Department's Office of Legal Counsel testified at the House Government Reform Committee hearing on the California murder prosecution of an individual who was a cooperating witness in 1960's organized crime prosecutions. The individual was subsequently protected by the Department as a result of his assistance. Mr. Bybee reiterated our interest in meeting with the Committee about the deliberative prosecutorial documents that were subject to the President's recent claim of Executive Privilege, one of which was made available for the Committee's review on February 13. We hope that such a meeting will occur after the upcoming recess. (F. Burton)
- **The Cyber Security Act of 2001 (H.R. 3482):** On February 12, Deputy Assistant Attorney General John Malcolm testified before the House Judiciary Subcommittee on Crime on Title I of this bill, which provides direction to the Sentencing Commission, criminalizes Internet advertising of illegal devices, specifies penalties for computer infrastructure crimes and authorizes the National Infrastructure Protection Center. The Department is strongly objecting to Title II, which would move the Office of Science and

Technology from the National Institute of Justice to its own office within the Office of Justice Programs. (Bernhardt/Daley)

- **Intellectual Property Rights:** On February 12, United States Attorney John Gordon from California highlighted Department efforts to combat piracy in testimony before the Senate Foreign Relations Committee hearing on international and domestic piracy, focusing on the criminal distribution of copyrighted software and entertainment products and the impact on our economy. (Daley)
- **Refugee Processing:** On February 12, INS Commissioner Ziglar testified at a Senate Immigration Subcommittee hearing on refugee processing since September 11 and efforts to meet the Administration's goal of processing 70,000 for this fiscal year. (D. Burton)